

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Tony Edward Gallant,  
Krishna Marie Zadoo,

Bankruptcy No. 18-60372  
Chapter 7

Debtors.

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**APPLICATION FOR ORDER  
REGARDING UNADMINISTERED ASSET**

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TO: United States Trustee; Debtors Tony Edward Gallant, Krishna Marie Zadoo, Stephen Heller, their bankruptcy attorney; and Sokolove Law, their personal injury attorney, and all interested parties.

1. The undersigned, Erik A. Ahlgren, being the duly appointed and acting Trustee in the above-captioned matter, applies for the relief requested below.
2. This Court has jurisdiction over this application pursuant to 28 U.S.C. § 157 and §1334, Bankruptcy Rule 5005, and Local Rule 1070-1. This is a core proceeding. This Chapter 7 case was commenced by the filing of a petition on June 7, 2018. This case is pending in this Court.
3. This application arises under 11 U.S.C. §541 and § 554. This application is filed under Bankruptcy Rule 9014, Local Rule 9013-2 and 9013-4.
4. The only un-administered asset in this Bankruptcy estate is the Debtor's interest in the following property ("the property"):

- Mesh Medical malpractice personal injury claim of unknown value.

The Debtors scheduled interest in this property with an UNKNOWN value, Of that amount the Debtor claimed 100% of fair market value, up to any applicable statutory limit, as exempt pursuant to 11 U.S.C. §522(d)(11)(D).

5. The litigation is just beginning and will take several more years before it is resolved.
6. The triggering event for administration of the property is recovery on the Debtor's mesh medical malpractice personal injury claim by either by suit or settlement.

7. This property cannot be abandoned if the estate expects to receive any funds in the future.
8. Pursuant to 11 U.S.C. § 554 (d), the Trustee applies to the Court for an Order that the estate's interest in the property shall remain property of the estate as an un-administered asset; and that by closing the case the Trustee does not abandon the estate's interest in the property; and that the automatic stay of 11 U.S.C. § 362 continues to apply.

WHEREFORE, the Trustee applies for an Order determining that the estate's interest in the property remains property of the bankruptcy estate as an un-administered asset, that it is not abandoned by the Trustee pursuant to 11 U.S.C. § 554(d); that it continues to be subject to the automatic stay pursuant to 11 U.S.C. § 362; and that the Bankruptcy Court, the United States Trustee, and the Trustee, Erik A. Ahlgren be notified in the event that there is a recovery on the debtor's mesh medical malpractice personal injury claim either by way of suit or settlement

Dated: November 29, 2018

Signed: /e/ Erik A. Ahlgren

Erik A. Ahlgren, Trustee

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### VERIFICATION

I, Erik Ahlgren, Movant, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

November 29, 2018

/e/Erik A. Ahlgren

Erik A. Ahlgren

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UNSWORN CERTIFICATE OF SERVICE

I, Lisa Ahlgren, declare under penalty of perjury that on November 29, 2018, the following entities were served electronically via CM/ECF:

Office of the United States Trustee, Stephen Heller

I, also declare that on November 29, 2018, I mailed copies of the foregoing APPLICATION FOR ORDER REGARDING UNADMINISTERED ASSET by first class mail, postage prepaid, to each entity named below at the address stated:

Tony Gallant and Krishna Zadoo 218 1 <sup>st</sup> Ave North Waite Park MN 56387	Sokolove Law 1330 Boylston Street Suite 400 Chestnut Hill MA 02467

Executed on November 29, 2018

/s/ Lisa Ahlgren  
\_\_\_\_\_  
Lisa Ahlgren

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**ORDER**

This matter has come before the court on the trustee's application for an order regarding un-administered asset. Based on the application and the record herein:

IT IS ORDERED:

1. The debtor, Krishna Marie Zadoo's mesh medical malpractice personal injury claim will not be abandoned upon the closing of this case.
2. The bankruptcy estate has an interest in the asset in an undetermined amount, which consists of all of the non-exempt portion of the Debtor's interest in the asset.

Dated: *December 21, 2018*

*/s/ Michael E. Ridgway*

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United States Bankruptcy Judge

NOTICE OF ELECTRONIC ENTRY AND  
FILING ORDER OR JUDGMENT  
Filed and Docket Entry made on **12/21/2018**  
Lori Vosejka, Clerk, by SW